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To:	USPTO Examiner Arnold Castro	From:	Mark D. Lorusso/mbb
Fax:	571-273-8300	Date:	10/28/2005
Phone		Pages:	7 (including cover page)
Re:	Appl. No.: 10/698,806 Our Ref: TRG-319	CC:	
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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(d))Docket No.
TRG-319

In Re Application Of: Ernst Wintner et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/698,806	October 32, 2003	A. Castro	48388	3747	

Title: INTERNAL COMBUSTION ENGINE

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Address to:
Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

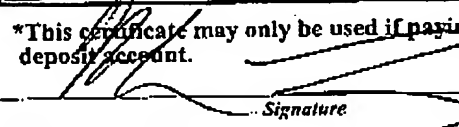
- ☐ A check in the amount of _____ is attached.
- ☒ Charge Deposit Account No. 12-2147 in the amount of \$180.00
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no. 571-273-8300) on October 28, 2005 (Date)  Signature Michele M. Bonenfant Typed or Printed Name of Person Signing Certificate	
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Signature
Mark D. Lorusso
LORUSSO & ASSOCIATES
15 Rye Street, Suite 312
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Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Certificate	
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Dated: October 28, 2005

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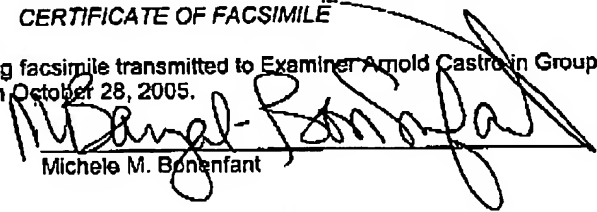
PATENT
ATTORNEY'S DOCKET NO.: TRG-319

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ernst Wintner et al.
Serial No.: 10/698,806
Filed: October 31, 2003
For: INTERNAL COMBUSTION ENGINE
Examiner: A. Castro
Art Unit: 3747

CERTIFICATE OF FACSIMILE

I hereby certify that this document is being facsimile transmitted to Examiner Arnold Castro in Group Art Unit 3747 at the central fax number, 571-273-8300, on October 28, 2005.


Michele M. Bonenfant

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicants request consideration of this information disclosure statement.

10/31/2005 LWONDIM1 00000103 10698806

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Compliance with 37 C.F.R. §1.97

Pursuant to 37 C.F.R. § 1.97(d), this information disclosure statement is being filed more than three months after the filing date of this application, after the mailing date of the first office action, and after the mailing date of either a final action under 37

BOS-519591 v1 0507105-0105

Serial No.09/473,252

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Art Unit: 1761

C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311.

1. The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. The applicant hereby certifies that the item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart for this application and was known to an agent of the applicants more than three months prior to the filing of this statement as explained to the examiner by applicants' counsel via teleconference on October 26, 2005, and to the supervisory examiner via teleconference on October 28, 2005.

Information Cited

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified).

Remarks

Pursuant to 37 C.F.R. § 1.98(a)(2)(i), no copies of the listed reference are included as the reference is a U.S. patent reference. It is respectfully requested that:

- The examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

By submitting this information disclosure statement, the applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

Serial No.09/473,252

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Art Unit: 1761

By submitting this information disclosure statement, the applicants make no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicants make no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by the applicants that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

Respectfully submitted,



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Attorneys for Applicants

Docket No.: TRG-319
Date: October 28, 2005

